

YUNG MING CHOU, ESQ (SBN 172118)  
39111 Paseo Padre Parkway, Suite 207  
Fremont, CA 94538  
Tel.: (510) 713-8698  
Fax: (510) 713-8690  
E-Mail; chouyung@aol.com

Attorney for Plaintiffs  
ATECH FLASH TECHNOLOGY INC.  
& SUNUS SUNTEK INC.

JEFFREY K. LEE, State Bar No. 212465  
SALLIE KIM, State Bar No. 142781  
GCA LAW PARTNERS LLP  
1891 Landings Drive  
Mountain View, CA 94043  
Phone No.: (650) 428-3900  
Fax No.: (650) 428-3901  
E-mail: jlee@gcalaw.com  
E-mail: skim@gcalaw.com

Attorneys for Defendants MARTIN C. LIN, YUSHAN WANG, AKA  
SAMANTHA WANG, and IMAGE DEVICE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ATECH FLASH TECHNOLOGY INC. &  
SUNUS SUNTEK INC.

Plaintiff,

vs.

MARTIN C. LIN, YUSHAN WANG, A.K.A.  
SAMANTHA WANG., AND IMAGE  
DEVICE INC.

Defendants.

Case No.: C07 02949 PVT

STIPULATED REQUEST TO VACATE AND  
RESET TIMES SET BY THE INITIAL  
SCHEDULING ORDER AND [PROPOSED]  
ORDER

The Hon. Patricia V. Trumbull

Pursuant to Civil Local Rule 6-2, plaintiffs Atech Flash Technology Inc. and Sunus  
Suntek Inc. and defendants Martin C. Lin, Yushan Wang, a.k.a. Samantha Wang, and Image  
Device, Inc. hereby stipulate and request that this Court vacate all pending deadlines found in its  
June 7, 2007 Order setting the initial case management conference and ADR deadlines until such  
time after it rules on defendants' pending motion to dismiss plaintiffs' complaint for, *inter alia*,

1 lack of subject matter jurisdiction. The parties jointly declare the following in support of this  
2 request:

3 WHEREAS, on June 7, 2007, the Hon. Patricia V. Trumbull issued an order setting initial  
4 case management conference and ADR deadlines, establishing the parties' meet and confer and  
5 ADR certification deadlines for August 21, 2007, the initial disclosure and Case Management  
6 Statement filing deadlines for September 4, 2007, and scheduling an initial case management  
7 conference for September 11, 2007;

8 WHEREAS, defendants Martin C. Lin, Yushan Wang, a.k.a. Samantha Wang, and Image  
9 Device Inc. have filed a motion to dismiss plaintiffs' complaint for (1) lack of subject matter  
10 jurisdiction, (2) lack of personal jurisdiction over defendant Image Device, Inc. and (3) failure to  
11 state a claim in each count of the complaint, and the hearing for said motion is scheduled for  
12 September 4, 2007;

13 WHEREAS, all plaintiffs and defendants filed their written consents to proceed before a  
14 United States Magistrate Judge on August 2, 2007;

15 WHEREAS, the requested modification of the aforesaid deadlines would be in the agreed  
16 best interests of the parties and have not effect on the schedule for this case;

17 WHEREAS, it would best serve judicial economy for this Court to vacate and reset the  
18 aforesaid deadlines after this Court's final disposition of the defendants' motion to dismiss;

19 WHEREAS, the parties stipulated to a previous five (5) day enlargement of time for  
20 defendants to respond to plaintiff's complaint;

21 WHEREFORE plaintiffs Atech Flash Technology Inc. and Sunus Suntek Inc. and  
22 defendants Martin C. Lin, Yushan Wang, a.k.a. Samantha Wang, and Image Device Inc. hereby  
23 jointly stipulate and request that this Court vacate its order setting initial case management  
24 conference and ADR deadlines, dated June 7, 2007, and all deadlines set forth therein, until such  
25 time after the Court's final disposition of the defendants' motion to dismiss plaintiffs' complaint.

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1 Dated: August 15, 2007

2 /s/ Yung-Ming Chou

Yung-Ming Chou

3 Attorney for Plaintiffs  
4 ATECH FLASH TECHNOLOGY INC. &  
5 SUNUS SUNTEK INC.

6 Dated: August 15, 2007

JEFFREY K. LEE

SALLIE KIM

GCA LAW PARTNERS LLP

7 By: /s/ Jeffrey K. Lee (by permission)

Jeffrey K. Lee

8 Attorneys for Defendants  
9 MARTIN C. LIN, YUSHAN WANG, AKA  
10 SAMANTHA WANG, and IMAGE  
11 DEVICE INC.

12 **ORDER**

13  
14  
15 After consideration of the parties' Stipulated Request to Vacate and Reset Times Set by  
16 the Initial Scheduling Order and good cause appearing:

17  
18 PURSUANT TO STIPULATION, IT IS SO ORDERED that the order setting initial case  
19 management conference and ADR deadlines, dated June 7, 2007, and all pending deadlines set  
20 forth therein are hereby VACATED until further order of the Court.

21  
22 Dated: \_\_\_\_\_, 2007

23  
24 Patricia V. Trumbull  
25 United States Magistrate Judge